

DUANE MORRIS LLP

Hyman L. Schaffer

Fran M. Jacobs

Brian Damiano

1540 Broadway

New York, New York 10036

(212) 692-1000

Attorneys for Plaintiff Consist Software Solutions, Inc.

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF NEW YORK

CONSIST SOFTWARE SOLUTIONS, INC.,

f/k/a CONSIST INTERNATIONAL, INC.,

Plaintiff,

-against-

SOFTWARE AG, INC. and SOFTWARE AG,

Defendants.

CERTIFICATE OF SERVICE

This is to certify that I caused the foregoing Plaintiff's Notice of Motion in Limine to Exclude Expert Testimony of David A. MacSwain, and Declaration of Hyman L. Schaffer and Memorandum of Law in support thereof, to be served on all parties of record in this action by ECF.

This the 7th day of December, 2007.

/s Cathy Smith
CATHY SMITH